

EB 04-381

FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

FLORIDA CABLE TELECOMMUNICATIONS  
ASSOCIATION; COX COMMUNICATIONS  
GULF COAT, LLC, et al.,

Complainants,

P.A. No. 00-004

v.

GULF POWER COMPANY,

Respondent.

To: Enforcement Bureau

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SEP 24 2004

Federal Communications Commission  
Office of the Secretary

GRANTED

DEC 19 2003

Deputy Chief, MDRD  
Enforcement Bureau

**GULF POWER COMPANY'S UNOPPOSED  
REQUEST FOR AN EXTENSION OF TIME**

Respondent Gulf Power Company ("Gulf Power"), pursuant to 47 C.F.R. § 1.46, respectfully requests an eleven (11) day extension of the deadline to file its submission describing the evidence it seeks to offer in satisfaction of the Eleventh Circuit's standard.<sup>1</sup> In support of this request, Gulf Power says the following:

1. Gulf Power seeks an eleven (11) day extension of the Monday, December 29, 2003 deadline for three reasons:<sup>2</sup> (1) the schedules of the three key Gulf Power employees involved in this proceeding; (2) the schedules of Gulf Power's three principal lawyers; and (3) the intervening Christmas holiday (and concomitant office closures December 24-26).

2. Following the December 8, 2003 telephone conference to discuss Gulf Power's pending Petition for Reconsideration and Request for Evidentiary Hearing, the Commission set a

<sup>1</sup> The current deadline is Monday, December 29, 2003. An eleven (11) day extension would move the deadline to Friday, January 9, 2004.

<sup>2</sup> December 29, 2003 is the Monday after Christmas.

December 29, 2003 deadline for Gulf Power to "file and serve a submission describing with particularity the evidence it wishes to proffer in an effort to satisfy the standard articulated by...the Eleventh Circuit." (December 9, 2003 letter from Lisa Griffin). At that time, undersigned counsel was in the hospital with his wife and newborn daughter (born 12/08/03). Undersigned counsel did not return to the office until Thursday, December 11, 2003. At that time, Gulf Power began its work, in earnest, to meet the December 29, 2003 deadline.

3. On Tuesday, December 16, 2003, undersigned counsel was advised of the schedules of the three Gulf Power employees involved in this proceeding. Those schedules are not conducive to preparation of a thorough submission. One of them will be out from Monday, December 22, 2003 through Friday, January 2, 2004; another will be out from Wednesday, December 24, 2003 through Friday, January 2, 2004; the third will be out from Tuesday, December 23, 2003 through Friday, December 26, 2003.


4. To compound these scheduling difficulties, Russ Campbell (one of Gulf Power's principal attorneys) has been detained on out-of-town business the entire week of Monday, December 15, 2003 through Friday, December 19, 2003. Ralph Peterson, another of Gulf Power's principal attorneys, will be out-of-town the entire week of Christmas tending to a father in an intensive care unit.

5. No party will be prejudiced by this brief extension, in fact all involved (and the development of the law, for that matter) would be best served by a thorough and thoughtful submission by Gulf Power. Complainants do not oppose this request for extension.<sup>3</sup>

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<sup>3</sup> Complainants' lack of opposition is, of course, contingent upon extending their existing response deadlines by an equal number of days.

6. For good cause shown, Gulf Power respectfully requests that the Commission enter an Order extending Gulf Power's December 29, 2003 deadline to Friday, January 9, 2004, and extending Complainants' response deadline to Friday, January 30, 2004.

  
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**CERTIFICATE OF SERVICE**

I hereby certify that a copy of this Unopposed Request For An Extension Of Time has been served upon the following by United States mail, on this the 18<sup>th</sup> day of December, 2003:

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